

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

ALVIN MAXWELL,

Defendant.


21-CR-247-04 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received a pro se letter from defendant Alvin Maxwell asking that his counsel, Peter Brill, Esq., be relieved, Dkt. 245, and a letter from Mr. Brill stating that he can no longer represent Mr. Maxwell, to the extent that Mr. Maxwell is disputing the correctness of Mr. Brill's determination that Mr. Maxwell did not have any viable issues to raise on appeal, given, *inter alia*, the appellate waiver in his plea agreement, *see* Dkt. 253. For the limited purpose of counseling Mr. Maxwell as to this subject and handling any appeal if viably pursued, the Court will appoint successor counsel to Mr. Brill, and thereupon relieve Mr. Brill. An order to this effect will issue upon the Court's determination whether duty CJA counsel are conflict-free to take on this representation. For avoidance of doubt, this appointment does not, absent further application to and order by the Court authorizing same, authorize successor counsel to take on the project of assisting Mr. Maxwell in the action pursuant to 28 U.S.C. § 2255 that he has indicated he intends to pursue *pro se*.

SO ORDERED.

  
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PAUL A. ENGELMAYER  
United States District Judge

Dated: March 20, 2023  
New York, New York